

P A T H

Department of Prevention, Assistance, Transition, and Health Access

BULLETIN NO. 00-16F

FROM Eileen I. Elliott, Commissioner
for the Secretary

DATE 10/24/00

SUBJECTS Fuel Program Changes

CHANGES ADOPTED EFFECTIVE 11/8/00

INSTRUCTIONS

- X Maintain Manual - See instructions below.
- Proposed Regulation - Retain bulletin and attachments until you receive Manual Maintenance Bulletin
- Information or Instructions - Retain until

MANUAL REFERENCE(S)

2900	2906
2901	2907
2902	2912
2904	2950
2905	

This bulletin implements the following changes to the regulations for the seasonal and crisis component policy of the Fuel Program:

Higher dollar amounts in the Standard Heating Cost Tables for households that heat with natural gas, propane, oil and kerosene; a single benefit payment for all eligible households; language changes consistent with the use of a single payment; a \$5.00 annual benefit for heated rental households in public, subsidized, or Section 8 housing; expansion of benefit payment methods to include check, electronic benefit transfer (EBT), or direct deposit for heated rental and roomer households; elimination of the exclusion of income for difficulty-of-care payments from the Department of Developmental and Mental Health Services or related agencies; addition of civil union partner to the criteria for determining fuel household and addition of related verification modifications; and language changes related to public, subsidized, or Section 8 housing programs. Language correction in crisis policy related to household residency.

The Standard Heating Cost Tables were implemented in policy in September, 1999. Policy requires that the tables be revised no less frequently than every three years. The revisions being proposed after one year respond to significant cost increases for propane, oil, and kerosene, and to a rate increase for natural gas.

Detailed Summary of Proposed Changes

The proposed changes to the Fuel Program policy are as follows:

WAM 2900.1 Additional Funds

At the Joint Legislative Committee on Administrative Rules meeting on October 18, 2000, this new subsection was added which governs the allocation of LIHEAP contingency funds or funds from another source.

WAM 2901 Criteria Applied in Determining Fuel Household Membership and Eligibility

The proposed policy adds a definition for civil union partner. Civil union partner is added to the definitions for head of household and roomer fuel household, and eligible household criteria pursuant to 15 V.S.A. chapter 23 (Act 91, 2000).

At the Joint Legislative Committee on Administrative Rules meeting on October 18, 2000, the language in WAM 2901.1 No. 10. was modified to conform with 15 V.S.A. chapter 23.

WAM 2902 Application for Assistance

The proposed language corrects text identifying the end of the secondary application period.

WAM 2904 Income

Proposed policy eliminates language that excluded income received from the Department of Developmental and Mental Health Services (DDMHS) for providing care to adults in foster care. The room-and-board portion of income received by developmental home providers furnishing qualified foster care to individuals placed by the Department of Developmental and Mental Health Services (DDMHS) or by a developmental or mental health services agency under contract with DDMHS is excluded as income. Compensation received in addition to that intended to cover room and board, considered difficulty-of-care payments, is earned self-employment income and is not excluded.

WAM 2905 Verification

New language expands the verification needed for caretaker or companionship services to include an elderly or disabled civil union partner.

WAM 2906 Benefit Levels

Proposed changes make language consistent identifying public, subsidized, or Section 8 housing programs. The proposed policy provides an annual benefit in the amount of \$5.00 for eligible households that make undesignated payments for home heat in the form of rent, and that participate in a public, subsidized, or Section 8 housing program.

The proposed policy increases the dollar amounts in the Standard Heating Cost Tables for households that heat with propane, oil, kerosene, and natural gas.

At the Joint Legislative Committee on Administrative Rules meeting on October 18, 2000, the dollar amounts in WAM 2906.4, Standard Heating Cost Tables, were increased for households that heat with firewood.

WAM 2907 Benefit Issuance

Proposed policy eliminates split benefit payments in November and January and provides a single benefit payment no later than November 30 for eligible households responsible for purchasing their heat, and who apply between July 15 and August 31. Language proposed makes the use of all payments to fuel suppliers consistent with a single benefit payment for all eligible recipients. Proposed policy deletes a wood fuel payment clause that would be inconsistent with single benefit payments for all eligible recipients.

The proposed policy expands benefit payment methods of check, electronic benefit transfer (EBT), or direct deposit to the head of the heated rental and roomer households. Proposed policy deletes language referring to the 1999-2000 fuel season.

WAM 2912 Fuel Supplier Certification

Language proposed makes the use of all payments to fuel suppliers consistent with a single benefit payment for all eligible recipients.

WAM 2950 Crisis Assistance

The proposed language corrects text specifying “eligibility” instead of “Vermont residency” where policy identifies those criteria that are the same for both seasonal and crisis assistance.

Summary of Public Hearing, Written Comments, and Changes to the Rule as Proposed

A public hearing was held on August 14, 2000, at 1:00 p.m. in the Secretary’s Conference Room, Agency of Human Services, State Office Complex, Waterbury, Vermont. One organization, COVE, provided oral comments and a synopsis of the comments is attached. Those comments were included in the organization’s written submission noted below.

Written comments were received by the August 21, 2000, comment deadline from the following organizations:

Council of Vermont Elders (COVE)
Vermont Coalition for Disability Rights (VCDR)
Vermont Low Income Advocacy Council (VLIAC)

The written comments and a synopsis of oral comments are attached for information purposes.

Comment

One commenter, COVE, wanted to know what in the rules or otherwise was being done by the department to address the high price of fuel.

Response

As a result of fuel price and rate increases last year, the proposed policy increases the dollar amounts in the Standard Heating Cost Tables for households that heat with propane, oil, kerosene, and natural gas.

Comment

Substantive comments were received that are not germane as they do not relate to any of the policy changes that the department is proposing in this rule.

Response

PATH will, separate from the rule-making process at hand, consider the comments, decide whether they should be the basis for a separate rule-making process, and notify the commenters of our decision and the rationale for it.

Review by the Joint Legislative Committee on Administrative Rules and Additional Policy Changes

This bulletin was considered by the Joint Legislative Committee on Administrative Rules on September 27, 2000, and October 18, 2000. The following changes were made in response to concerns expressed by the Committee and proposals made by the department in response to public comments.

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| 2900.1 | The new subsection, WAM 2900.1, was added, which governs the allocation of LIHEAP contingency funds or funds from another source. |
| 2901.1 | The language in WAM 2901.1 No. 10. was modified to conform with 15 V.S.A. chapter 23. |
| 2906.4 | The dollar amounts in WAM 2906.4, Standard Heating Cost Tables, were increased for households that heat with firewood. |

Vertical lines in the left margin indicate significant changes. Dotted lines at the left indicate changes to clarify, rearrange, correct references, etc., without changing regulation content.

MANUAL MAINTENANCE

MANUAL HOLDERS: Please maintain manuals assigned to you as follows. You will need both the proposed and the final bulletin to maintain your manuals

<u>Remove</u>		<u>Fuel Policy</u>	<u>Insert</u>
TOC P.1 (2900)	(99-16F)	TOC P.1 (2900)	(00-16F)
2900	(99-16F)	2900	(00-16F)
Nothing		2900.1 P.2	(00-16F)
2901	(99-16F)	2901	(00-16)
2901.1 P.2	(99-16F)	2901.1 P.2	(00-16)
2901.1 P.3	(99-16F)	2901.1 P.3	(00-16F)
2901.2 P.2	(99-16F)	2901.2 P.2	(00-16)
2901.2 P.3	(99-16F)	2901.2 P.3	(00-16)
2901.2 P.4	(99-16F)	2901.2 P.4	(00-16)
Nothing		2901.3	(00-16)
2902	(99-16F)	2902	(00-16)
2904.3	(99-16F)	2904.3	(00-16)
2905	(99-16F)	2905	(00-16)
2906	(99-16F)	2906	(00-16)
2906.2 P.2	(99-16F)	2906.2 P.2	(00-16)
2906.2 P.3	(99-16F)	2906.2 P.3	(00-16)
2906.4 P.2	(99-16F)	2906.4 P.2	(00-16F)
2907	(99-16F)	2907	(00-16)
2907.1 P.2	(99-16F)	2907.1 P.2	(00-16)
2907.2 P.2	(99-16F)	2907.2	(00-16)
2912 P.2	(99-16F)	2912 P.2	(00-16)
2950	(99-21F)	2950	(00-16)